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## PATENTS

### UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Application:</b>	10/669,926	<b>Examiner:</b>	Michael Thaler
<b>Filed:</b>	09/24/2003	<b>Art Unit:</b>	3762
<b>Inventor:</b>	Jean M. Beaupre	<b>Atty Ref.:</b>	END5009NP
<b>Title:</b>	ULTRASONIC SURGICAL INSTRUMENT HAVING AN INCREASED WORKING LENGTH		

### TRANSMITTAL VIA U.S POSTAL SERVICE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing are the following papers for the above-referenced patent application:

1. IDS, Form 1449, MPEP 609(d), and Chinese Office Action

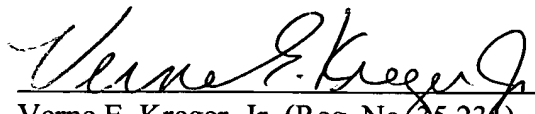
The fee has been calculated as shown below:

	Number of Claims	Highest Previous Paid For	Extra Claims	Rate	Fee (Dollars)
Total Claims			0	x \$50 =	0
Independent Claims			0	x \$200 =	0
If multiple dependent claims, add \$130.00					n/a

The Commissioner is hereby authorized to charge payment of any fees associated with this

communication or credit any overpayment to Deposit Account No. 10-0750/END5009NP/VEK, including any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18.

Respectfully submitted,

  
Verne E. Kreger, Jr. (Reg. No. 35,231)  
Attorney For Applicant(s)

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933  
Tel: (513) 337-3295

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450 Alexandria, VA 22313-1450 on

August 14, 2006

  
Verne E. Kreger, Jr.



Docket No. END 5009NP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Beaupre, Jean

Serial No. : 10/669,926

Art Unit: 3762

Filed : September 24, 2003

Examiner: Michael Thaler

Title: Ultrasonic Surgical Instrument Having an Increased Working Length

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on

August 14, 2006  
(Date of Deposit)

Linda F. Hansen  
(Name of applicant, assignee, or Registered Representative)

*Linda F. Hansen*  
(Signature)

August , 2006

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under § 1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114, no additional fee is required.

☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with § 1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in § 1.17(p).

☒ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☒ Statement in Accordance with § 1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/END5009USNP/VEK the fee of \$180.00 as set forth in § 1.17(p).

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with § 1.97(e) as set forth below and the fee of \$180.00 as set forth in § 1.17(p).

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2).

☒ There are no listed references which are not in the English language.

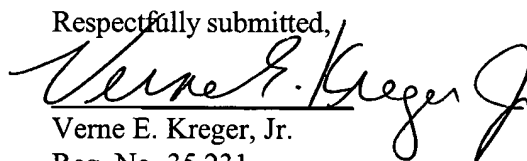
☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No.  
END5009USNP/VEK

Respectfully submitted,



Verne E. Kreger, Jr.

Reg. No. 35,231

Johnson & Johnson

One Johnson & Johnson Plaza

New Brunswick, NJ 08933-7003



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Application Number	10/669,926
Filing Date	September 24, 2003
First Named Inventor	Beaupre, Jean
Group Art Unit	3762
Examiner Name	Michael Thaler
Attorney Docket Number	END-5009NP

### U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,954,736	A	Bishop et al.	09/21/1999	ALL
		6,090,120	A	Wright et al.	07/08/2000	ALL

### FOREIGN PATENT DOCUMENTS

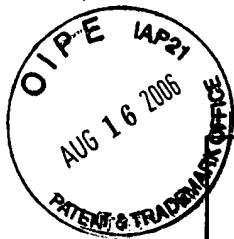
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



## SUBMISSION UNDER MPEP 609 D

Page 1 of 1

Application Number	10/669,926
Filing Date	September 24, 2003
First Named Inventor	Beaupre, Jean
Group Art Unit	3762
Examiner Name	Michael Thaler
Attorney Docket Number	END-5009NP

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	U.S. Patent Document		Pages, Columns, Lines, where relevant passages or relevant figures appear
			Number	Kind Code <sup>2</sup> (if known)	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	Foreign Patent Document			Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
			Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>		

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Chinese Office Action dated May 19, 2006 for corresponding patent application, International Patent Application No. PCT/US03/30601.	

Examiner Signature		Date Considered	
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Docket No. 5009NP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Beaupre, Jean  
Serial No. : 10/669,926 Art Unit: 3762  
Filed : September 24, 2003 Examiner: Michael Thaler  
Title : Ultrasonic Surgical Instrument Having an Increased Working Length

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. §1.97(e)**

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

☒ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

Verne E. Kreger, Jr.  
Reg. No. 35,231  
Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003

Aug 11, 2006